

MOTION FILED  
AUG 17 1988

Nos. 87-5666 and 87-6026

87-5765  
In The

SUPREME COURT OF THE UNITED STATES

October Term, 1987

No.87-5666

JOSE MARTINEZ HIGH v. ZANT, WARDEN

No.87-6026

HEATH A. WILKINS v. MISSOURI

On Writs of Certiorari to the  
Supreme Court of Georgia and  
Supreme Court of Missouri

MOTION FOR LEAVE  
TO FILE

AMICUS CURIAE BRIEF  
of the  
WEST VIRGINIA COUNCIL OF CHURCHES  
On Behalf of the Petitioners

Paul R. Stone,  
Attorney for Amicus  
239 Peoples Bldg.  
Charleston, W.Va.25301  
(304) 344-5400

504

MOTION FOR LEAVE TO FILE

BRIEF AMICUS CURIAE

Amicus, West Virginia Council of Churches, respectfully requests that this Court grant permission to file the appended Brief, for the following reasons: Counsel for Amicus has not received any responses from letters sent to the attorneys for the Parties a sufficient time ago, except in one instance. Amicus is intensely concerned with the issues involved in these cases, and feels that to put teenagers to death is unconstitutional.

Amicus has reason to believe that general considerations as to the proffered unconstitutionality of capital punishment may not be urged herein (in the Brief of Amicus, this is covered); other esoteric considerations, including the physiological/psychological effects of puberty, and potential discrimination,

Amicus believes, is not briefed in the same way as the appended Brief and, hence, the matters contained in the Brief of the Amicus, it is believed, will be of substantial additional aid to the Court in its deliberations in these cases. This is not meant to deprecate, in any way, the salutary efforts of the Parties herein or of their Counsel.

Respectfully,

Paul R. Stone,

Counsel for Amicus

West Virginia Council  
of Churches

# ENTRY OF APPEARANCE

The undersigned attorney, Paul R. Stone, a member of the Bar of this Court since 1963, and authorized by the West Virginia Council of Churches (headquartered in Charleston, West Virginia) to represent it in the matter of filing the appended Amicus Curiae Brief, hereby apprises the Court of his appearance in this matter.

Date: *Aug. 13* 1988

*Paul R. Stone*  
Paul R. Stone

CERTIFICATE OF SERVICE

The undersigned, Paul R. Stone, Attorney, hereby certifies that on *Aug. 13*, 1988, he effected service, via First Class U.S. Mail, sufficient postage affixed thereto, of the annexed papers in this case and including the Brief of the Amicus (40 copies thereof being also sent, via similar U.S. mail service, to the U.S. Supreme Court, Washington, D.C., 20543), 3 copies to Parties' Counsel (as follows):

o/b/o No.87-5666, High v. Zant  
Bradley Stetler, Esq., 127 Pine St.  
Burlington, Vermont 05401; and  
Mary Beth Westmoreland, Asst. A/G of Ga.  
132 State Judicial Bdg, Atlanta, GA 30334

o/b/o No.87-6026, Wilkins v. Mo.  
Nancy McKerrrow, 209B East Green Meadows  
Rd., Columbia, Mo. 65203; and  
John Morris, III, Asst. A/G of Mo.,  
P.O. Box 899, Jefferson City, Mo. 65102

All Parties required to be served have been served.

*Paul R. Stone*  
Paul R. Stone, Counsel for Amicus  
West Virginia Council of Churches